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PTO/SB/01A (10-00).

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	CATALYST STRUCTURES FOR ELECTROCHEMICAL FUEL CELLS
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

The attached application, or
 Application No. 10/816,210, filed on April 1, 2004;
 as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

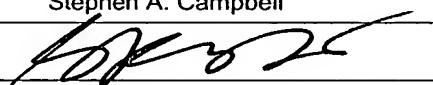
I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

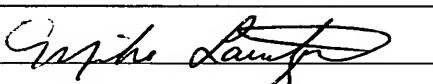
All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

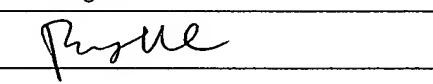
Inventor one:	Stephen A. Campbell	Date:	<u>17th May 2004</u>
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Signature:		Citizen of:	United Kingdom
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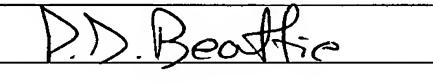
Inventor two:	Michael V. Lauritzen	Date:	<u>May 17, 2004</u>
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Signature:		Citizen of:	Canada
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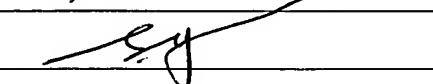
Inventor three:	Ping He	Date:	<u>May 17, 2004</u>
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Signature:		Citizen of:	US
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Inventor four:	Paul D. Beattie	Date:	<u>May 17th, 2004</u>
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Signature:		Citizen of:	Great Britain
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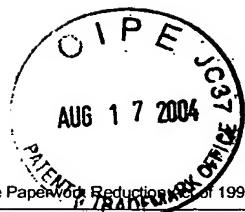
Inventor five:	Siyu Ye	Date:	<u>May 17th, 2004</u>
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Signature:		Citizen of:	Canada
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Additional inventors are being named on _____ additional form attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Stephen A. Campbell et al.

Application No./Patent No.: 10/816,210 Filed/Issue Date: April 1, 2004

Entitled: CATALYST STRUCTURES FOR ELECTROCHEMICAL FUEL CELLS

Ballard Power Systems Inc.

(Name of Assignee)

a

Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel , Frame , or for which a **copy thereof is attached**.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

May 25, 2004

Date

Noordin S.K. Nanji

Typed or printed name

Signature

Vice-President, Corporate Strategy & Development

Title

May 26, 2004

Date

Dave Smith

Typed or printed name

Signature

Chief Financial Officer

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. D:\130109.525\475137_1.DOC

ASSIGNMENT

WHEREAS, we,

Name	Post Office Address	
Stephen A. Campbell	23880 119th Avenue, Maple Ridge, British Columbia, CANADA V4R 2E6	;
Michael V. Lauritzen	7522 Wright Street, Burnaby, British Columbia, CANADA V3N 3W6	;
Ping He	12051 Bath Road, Richmond, British Columbia, CANADA V6V 2B4	;
Paul D. Beattie	1119 Barberry Place, Port Moody, British Columbia, CANADA V3H 3Y6	; and
Siyu Ye	5683 Oakland Street, Burnaby, British Columbia, CANADA V5H 1S2	

(hereinafter referred to as ASSIGNORS), having post office addresses as listed above next to our names, are the joint inventors of an invention entitled

CATALYST STRUCTURES FOR ELECTROCHEMICAL FUEL CELLS

as described and claimed in the specification for which an application for United States letters patent was filed on April 1, 2004, and assigned Application No. 10/816,210;

WHEREAS, Ballard Power Systems Inc. (hereinafter referred to as ASSIGNEE), a Canadian corporation, having a place of business at 4343 North Fraser Way, Burnaby, British Columbia, Canada V5J VJ9, is desirous of acquiring the entire right, title and interest in and to said invention, this application, and any letters patent that may be granted therefor in the United States and in any and all foreign countries;

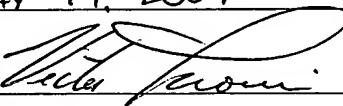
NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNEE hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions,

reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

17th May 2002
Date
City of Burnaby)
Province of B.C.)


Stephen A. Campbell
ss.

I certify that I know or have satisfactory evidence that Stephen A. Campbell is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated May 17, 2004
Signature of
Notary Public 
Printed Name Victor Tuomi

My appointment does not expire

May 17, 2004
Date

Michael V. Lauritzen
Michael V. Lauritzen

City of Burnaby)
Province of BC)

ss.

I certify that I know or have satisfactory evidence that Michael V. Lauritzen is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated May 17, 2004

Signature of
Notary Public Victor Tuomi

Printed Name VICTOR TUOMI

My appointment does not expire

May 17, 2004
Date

Ping He
Ping He

City of Burnaby)
Province of B.C.)

ss.

I certify that I know or have satisfactory evidence that Ping He is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated May 17, 2004

Signature of
Notary Public Victor Tuomi

Printed Name VICTOR TUOMI

My appointment does not expire

May 17th, 2004

Date

City of Burnaby)
Province of British Columbia)

P.D. Beattie

Paul D. Beattie

ss.

I certify that I know or have satisfactory evidence that Paul D. Beattie is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated May 17, 2004

Signature of
Notary Public Victor Tuomi

Printed Name Victor Tuomi

My appointment does not expire

May 17th, 2004

Date

City of Burnaby)
Province of BC)

Siyu Ye

Siyu Ye

ss.

I certify that I know or have satisfactory evidence that Siyu Ye is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated May 17, 2004

Signature of
Notary Public Victor Tuomi

Printed Name Victor Tuomi

My appointment does not expire